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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/639,946	08/17/2000	Hidehiko Nagaya	0834-0275-3	4852

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EXAMINER

TSAI, HENRY

ART UNIT	PAPER NUMBER
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3722

DATE MAILED: 03/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/639,946

Applicant(s)

NAGAYA ET AL.

Examiner

Henry W.H. Tsai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2/4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

✓ The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because the abstract is not in narrative form and generally limited to a single paragraph. Correction is required. See MPEP § 608.01(b).

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Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 1-2, it is not clear what is meant by "the corner angle of two corner edge" since it is not understandable.

In claim 1, line 2, "the other two corner edge" lacks proper antecedent basis since it was not previously defined. Similar problems exist in the other claims.

In claim 1, line 2, it is not clear what is meant by "edge which counter" since it is not understandable.

In claim 1, line 4, it is not clear what is meant by "shape plate late" since it is not understandable.

In claim 1, line 4, "the shape" lacks proper antecedent basis since it was not previously defined. Similar problems exist in the other claims.

In claim 3, line 4, it is not clear what is meant by "the other two corner edge of one face" since it is not understandable. Similar problems exist in the other claims.

In claim 4, lines 1-2, "the other two pair of non-parallel tooth" lacks proper antecedent basis since it was not previously defined. Similar problems exist in the other claims.

In claim 5, lines 1-2, "the other of another two corner tooth" lacks proper antecedent basis since it was not previously defined. Similar problems exist in the other claims.

In claim 11, lines 6-7, it is not clear whether "a main part" is the same as that mentioned in line 3.

In claim 11, line 6, it is not clear whether "a tip" is the same as "the tip side" mentioned in line 3.

In claim 11, line 7, it is not clear whether "a tool" is the same as "tool" mentioned in line 1. Similar problems exist in the other claims, such as claim 12, and 14.

In claim 13, line 2, "the non-parallel two tooth" lacks proper antecedent basis since it was not previously defined. Similar problems exist in the other claims.

In claim 13, line 4, "the one of two or more throwaway tips" lacks proper antecedent basis since it was not previously defined. Similar problems exist in the other claims.

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In general, the claims are not in proper idiomatic English as a result of the translation. Applicant is requested to re-write the claims in accordance with U.S. standards.

Applicant is required to review the claims and correct all language which does not comply with 35 U.S.C. § 112, second paragraph.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-18, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Minicozzi (5,586,843).

Minicozzi discloses the claimed invention comprising, as shown in Figs. 1 and 4, the corner angle of two corner edge being made into 90 degrees or less, and the other two corner edge which counter including these corner tooth respectively being made as non parallel tooth while the shape is formed approximately square shape plate.

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Note Minicozzi also discloses the limitations described in claims 2-18 as shown in Figs. 1 and 4.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

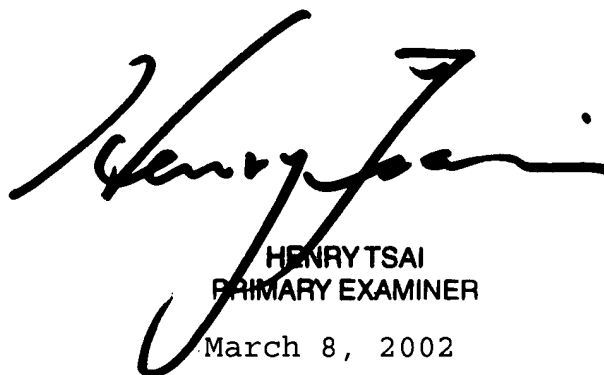
Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Henry Tsai whose telephone number is (703) 308-7600. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, A. L. Wellington can be reached on (703) 308-2159. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **TC 3700 receptionist whose telephone number is (703) 308-1148.**

9. In order to reduce pendency and avoid potential delays, Group 3720 is encouraging FAXing of responses to Office actions directly into: **the Group at fax number 703-872-9302; and Official faxes for After Final amendments should be sent to 703-**

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872-9303. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the examiner and art unit at the top of your cover sheet. Papers submitted via FAX into Group 3700 will be promptly forward to the examiner.



HENRY TSAI
PRIMARY EXAMINER
March 8, 2002